

Message Text

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ACTION EUR-12

INFO OCT-01 EA-07 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 PM-04 INR-07 L-03 ACDA-07 NSAE-00

PA-01 SS-15 PRS-01 SP-02 TRSE-00 SAJ-01 H-02 IO-13

EB-07 COME-00 OMB-01 SIL-01 LAB-04 /089 W

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O P 221645Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 0610

INFO USMISSION NATO BRUSSELS PRIORITY

CINCPAC HONOLULU PRIORITY

AMEMBASSY TOKYO PRIORITY

CINC USAREUR HEIDELBERG PRIORITY

DOD WASHDC PRIORITY

CINC EUR VAIHINGEN PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12379

E.O. 11652: GDS

TAGS: MARR MPOL NATO GW JA

SUBJECT: JAPANESE INTEREST IN NATO LABOR ARRANGEMENTS

REFS: (A) BONN 12325; (B) STATE 180929

BEGIN SUMMARY. REFTEL (B) CROSSED REFTEL (A). MR. SATO CALLED ON EMBASSY BONN TO DISCUSS ARRANGEMENTS FOR HIS GROUP'S BRIEFINGS IN USAREUR. HE IS QUITE SATISFIED WITH ARRANGEMENTS MADE TO DISCUSS LOCAL LABOR PROBLEMS. MOREOVER, HE FEELS THAT HE RECEIVED SUFFICIENT INFORMATION CONCERNING BURDENSHARING AND THE STATUS OF FORCES AGREEMENTS DURING HIS WASHINGTON DISCUSSIONS SO THAT HE NO LONGER REQUIRES BRIEFINGS ON THESE SUBJECTS HERE IN GERMANY. HOWEVER, HE STILL FEELS THE NEED FOR ADDITIONAL INFORMATION ON "ENVIRONMENTAL PROBLEMS." END SUMMARY.

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1. MR. SATO PROVIDED THE EMBASSY WITH A LIST OF THE

TYPE OF QUESTIONS WHICH HE INTENDS TO USE AT USAREUR
TO STIMULATE DISCUSSION CONCERNING LOCAL LABOR
PROBLEMS. EMBASSY FORESEES NO PROBLEMS AND FEELS THAT
THE ARRANGEMENTS MADE BY USAREUR SHOULD SATISFY MR. SATO
FULLY ON THESE MATTERS.

2. MR. SATO ACCEPTED THE EMBASSY'S EXPLANATION AS TO
WHY NEITHER USAREUR NOR THE EMBASSY WAS IN A POSITION
TO DISCUSS BURDENSHARING AND THE STATUS OF FORCES
AGREEMENTS WITH THE JAPANESE STUDY GROUP. HE NOTED
THAT THESE HAD BEEN COVERED DURING HIS WASHINGTON
DISCUSSIONS AND SAID THAT HE COULD POSE ANY FOLLOW-UP
QUESTIONS WHEN HE RETURNED TO WASHINGTON, JULY 27.

3. MR. SATO EXPLAINED HIS GROUP'S INTEREST IN
"ENVIRONMENTAL MATTERS" MAKING IT CLEAR THAT HIS
INTEREST WAS MUCH BROADER THAN WE HAD BEEN LED TO
BELIEVE. INDEED, ENVIRONMENTAL MATTERS ARE ONLY ONE
ASPECT OF A BROADER INTEREST WHICH REVOLVES AROUND THE
APPLICATION OF GERMAN DOMESTIC LAW TO THE US FORCES.
MR. SATO GAVE THE EMBASSY THE FOLLOWING LIST OF
QUESTIONS TO WHICH HE HOPED TO OBTAIN ANSWERS:

BEGIN TEXT

LEGAL MATTERS

A. APPLICATION OF GERMAN DOMESTIC LAW TO FOREIGN
FORCES

(1) FRG INTERPRETATION ON WHETHER DOMESTIC
LAW DOES OR DOES NOT APPLY TO FOREIGN FORCES UNDER THE
NATO SOFA AND OTHER AGREEMENTS.

(2) SPECIFIC CASES OF INTEREST

(A) APPLICATION OF DOMESTIC LAW TO
FOREIGN FORCES REGARDING DISASTER
PREVENTION AND ENVIRONMENTAL
PROTECTION.

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(B) APPLICATION OF DOMESTIC LAW TO
FOREIGN FORCES IN THE AREA OF
SOCIAL WELFARE AND QUARANTINE.

(C) APPLICATION OF DOMESTIC LAW IN THE
LABOR AREA.

(3) ENTRY OF FRG AUTHORITIES INTO FOREIGN
BASES FOR INSPECTION AND OTHER PURPOSES (ART 53 OF FRG
AGREEMENT AND RELEVANT PROVISIONS OF PROTOCOL).

(4) MISCELLANEOUS (E.G., APPLICATION OF
DOMESTIC LAW REGARDING USE OF ROADS AND AIR TRAFFIC

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COME-00 SIL-01 LAB-04 /075 W
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O P 221645Z JUL 76
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TO SECSTATE WASHDC IMMEDIATE 0611
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AMEMBASSY TOKYO PRIORITY
CINC USAREUR HEIDELBERG PRIORITY
DOD WASHDC PRIORITY
CINC EUR VAIHINGEN PRIORITY

C O N F I D E N T I A L SECTION 02 OF 02 BONN 12379

CONTROL).

B. CRIMINAL JURISDICTION

(1) POLICE ACTIVITIES OF FOREIGN FORCES
OUTSIDE BASES (ART 7(10) OF NATO SOFA AND ART 20 OF
FRG AGREEMENT).

(2) EXECUTION AND WAIVERING OF PRIOR
JURISDICTION.

(3) INTERPRETATION OF "ON DUTY" (ART
7(3)(A)(2) OF NATO SOFA AND ART 18 OF FRG AGREEMENT).

(4) JURISDICTION OVER CRIMINAL CASES ON
BOARD FOREIGN SHIPS WITHIN FRG TERRITORIAL WATERS
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(ART 7 OF NATO SOFA).

C. MECHANISM FOR CONSULTATIONS BETWEEN FRG AND
US FORCES.

D. FACILITIES AND AREAS.

(1) DOMESTIC LEGAL ARRANGEMENTS IN THE FRG.

(2) SHARING OF COSTS FOR PROVIDING AND
MAINTAINING BASES.

END TEXT.

4. WHILE WE EMPHASIZED OUR DESIRE TO BE OF THE
MAXIMUM POSSIBLE ASSISTANCE TO THE JAPANESE GROUP, WE
TOLD MR. SATO THAT NO OFFICE OR GROUP OF OFFICES IN
USAREUR APPEARED COMPETENT TO DISCUSS THESE ISSUES,
WITH THE POSSIBLE EXCEPTION OF CRIMINAL JURISDICTION.
WE ALSO NOTED THE EMBASSY'S LACK OF EXPERTISE IN THESE
FIELDS. SINCE NEITHER MR. SATO OR HIS GROUP INTENDED
TO VISIT BRUSSELS, WE SUGGESTED THAT THE REMAINING
ISSUES SHOULD BE DISCUSSED IN WASHINGTON.

5. MR. SATO APPEARED PERFECTLY SATISFIED WITH OUR
DETAILED EXPLANATION OF THE SITUATION. HE AGREED IT
SEEMED MOST APPROPRIATE FOR THESE MATTERS TO
BE DEALT WITH WHEN HE
RETURNED TO WASHINGTON AND REQUESTED THAT THE EMBASSY
SEND OUT A TELEGRAM TO THAT EFFECT.

6. ACTION REQUESTED: UNLESS THE DEPARTMENT HAS SOME
OTHER SUGGESTION TO OFFER, WE REQUEST THAT ARRANGEMENTS
BE MADE FOR MR. SATO AND HIS GROUP TO DISCUSS THE
QUESTIONS LISTED ABOVE IN THE DEPARTMENT AND/OR
PENTAGON. PLEASE ADVISE.
CASH

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Margaret P. Grafeld
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